

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

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Debrezio M. Campbell, #307976,)

C. A. No. 2:04-22170-CMC-RSC

2005 MAY 25 P 5:11

Plaintiff,)

-versus-)

ORDER

York County Detention Center)

Jail Administrator,)

Defendant.)

On September 29, 2004, the *pro se* plaintiff brought this action seeking relief pursuant to 42 U.S.C. § 1983. On March 10, 2005, the defendant filed a motion for summary judgment. By order of this court filed March 15, 2005, pursuant to Roseboro v. Garrison, 528 F.2d 309 (4th Cir. 1975), the plaintiff was advised of dismissal and summary judgment procedures and the possible consequences if he failed to respond adequately. On April 8, 2005, counsel for the defendant notified the Clerk of Court that the plaintiff had been transferred to Kirkland Correctional Institution, 4344 Broad River Road, Columbia, S.C. 29210, on March 10, 2005. The Clerk of Court resent the Roseboro Order to plaintiff at his new address and reset the deadlines in the case. The plaintiff has failed to respond to the motion for summary judgment, it appears to the court that he wishes to abandon this action. Therefore,

IT IS ORDERED that the plaintiff shall have a period of **ten (10) days** from the date of this order in which to file his response to the defendant's motion for summary judgment. The

plaintiff is advised that if he fails to respond, this action will be dismissed for failure to prosecute. Davis v. Williams, 588 F.2d 69, 70 (4th Cir. 1978).

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read "Robert S. Carr", is written over a horizontal line.

ROBERT S. CARR
UNITED STATES MAGISTRATE JUDGE

Charleston, South Carolina

May 24, 2005